

REMARKS

This responds to the Office Action mailed on December 1, 2006.

Claims 1-18 and 31 are amended, no claims are canceled, and no claims are added; as a result, claims 1-43 are now pending in this application.

§102 Rejection of the Claims

Claims 1-4, 7-13, 16-22, 24, 26-35, 37 and 39-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by Coppersmith et al. (6,185,679).

The Applicant respectfully traverses this rejection, and hereby incorporates the arguments previously set forth in its responses dated October 1, 2004, May 2, 2005, February 16, 2006, September 5, 2006, and its Appeal Brief of September 6, 2005.

However, in an attempt to move the prosecution of the present application forward, and in response to the statement in the Final Office Action of December 1, 2006 that the recitation of a “Stream Cipher Cryptosystem” is not given patentable weight because the recitation occurs in the preamble, the Applicant has amended the independent claims so that a “a stream cipher cryptosystem” is recited in the body of the claims. The Applicant respectfully submits that this amendment places the claims in a condition for allowance, and that this amendment introduces no new issues so that a notice of allowability may be issued.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2140 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KEVIN R. DRISCOLL

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 371-2140

Date

February 1, 2007

By

David D'Zurilla

Reg. No. 36,776

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of February 2007.

Name

Dawn M. Pook

Signature

Dawn M. Pook